

Notice of Allowability

Application No.

09/804,383

Applicant(s)

HINCKLEY ET AL.

Examiner

DUC Q. DINH

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the personal interview on 01/03/08.
2. ☒ The allowed claim(s) is/are 1-6, 8, 10-15, 18-19 renumbered as 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 09/24/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

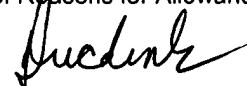
5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.


DUC Q. DINH
Primary Examiner
Art Unit: 2629

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gary Fedorochko on January 3, 2008.

The application has been amended as follows:

Claim 1 (currently amended): In a computer system including an auxiliary control and a display, a method comprising the steps of:

detecting a first physical presence proximate to or contacting a first auxiliary control for a predefined period in which the first auxiliary control maintains an inactive state; and

generating feedback responsive to said step of detecting, the feedback providing an indication of the functionality of the first auxiliary control, the functionality of the first auxiliary control and associated feedback being dependent upon which one of a first application program and a second application program is active, the generating includes displaying a first display widget on the display[[,]] ;

detecting a second physical presence proximate to or contacting a second auxiliary control different from the first auxiliary control;

generating second feedback responsive to said step of detecting the second physical presence, the second feedback indicating functionality associated with the second auxiliary control; the generating second feedback includes displaying second widget on the display responsive to the step of detecting the second physical presence; and

discontinuing display of the first display widget responsive to detecting the second physical presence,

wherein the first auxiliary control has a first function in the first application program and a second function, different from the first function, in the second application program.

Claim 11 (currently amended): The method according to claim 1, further comprising the step of discontinuing display of the first display widget responsive to activation of ~~[[a]]~~ the second auxiliary control.

Claims 16-17 (canceled)

Claim 18 (currently amended): In a computer system including an auxiliary control and a display, a method comprising the steps of:

detecting a first physical presence proximate to or contacting a first auxiliary control for a predefined period in which the first auxiliary control maintains an inactive state;

detecting a second physical presence proximate to or contacting a second auxiliary control different from the first auxiliary control in which the second auxiliary control maintains an inactive state while detecting the first physical presence proximate to or contacting the first auxiliary control; and

generating feedback responsive to said step of detecting the second physical presence, the feedback indicating functionality associated with simultaneous activation of the combination of the first auxiliary control and the second auxiliary control~~[[:-]]~~ ,

wherein the first auxiliary control and the second auxiliary control correspond to a separate controls on an input device.

Claim 19 (currently amended): The method according to claim 18, wherein the ~~first auxiliary control and the second auxiliary control correspond to separate controls on a keyboard~~ input device is a keyboard.

Reason for allowance

2. The following is an examiner's statement of reasons for allowance: the present invention related to a method of touch sensitive input device which have touch sensitive auxiliary controls that sense a physical presence and provide visual feed back on an on-screen display. The closest prior art of Murai et al. (U. S. Patent No. 5,635,958) shows a similar method which also having a touch sensitive system to provide visual feedback on on-screen display. However, Murai et al. fails to discloses the steps of :

In reference to claim 1

generating feedback responsive to said step of detecting, the feedback providing an indication of the functionality of the first auxiliary control, the functionality of the first auxiliary control and associated feedback being dependent upon which one of a first application program and a second application program is active, the generating includes displaying a first display widget on the display;

detecting a second physical presence proximate to or contacting a second auxiliary control different from the first auxiliary control;

generating second feedback responsive to said step of detecting the second physical presence, the second feedback indicating functionality associated with the second auxiliary control; the generating second feedback includes displaying second widget on the display responsive to the step of detecting the second physical presence; and

discontinuing display of the first display widget responsive to detecting the second physical presence,

wherein the first auxiliary control has a first function in the first application program and a second function, different from the first function, in the second application program.

In reference to claim 18:

detecting a first physical presence proximate to or contacting a first auxiliary control for a predefined period in which the first auxiliary control maintains an inactive state;

detecting a second physical presence proximate to or contacting a second auxiliary control different from the first auxiliary control in which the second auxiliary control maintains an inactive state while detecting the first physical presence proximate to or contacting the first auxiliary control; and

generating feedback responsive to said step of detecting the second physical presence, the feedback indicating functionality associated with simultaneous activation of the combination of the first auxiliary control and the second auxiliary control,

wherein the first auxiliary control and the second auxiliary control correspond to separate controls on an input device.

These distinct features have been added to independent claims and render them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571) 272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

Application/Control Number:
09/804,383
Art Unit: 2629

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD HJERPE can be reached on (571)272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DUC Q DINH
Primary Examiner
Art Unit 2629